

New law creates and provides for the Lake Charles North Redevelopment Authority to provide for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas. Provides that the authority is a political subdivision of the state. Provides that the authority shall be comprised of specified territory in the city of Lake Charles. Provides that the authority shall be activated and implemented by the city governing authority recognizing and confirming the appointment of the initial five members of the board.

New law provides that the authority shall be governed by a five-member board of commissioners comprised of members appointed by the state representative for House District No. 34, the state senator for Senate District No. 27, the mayor of the city of Lake Charles, and the member(s) of the governing authority of Calcasieu Parish and the city of Lake Charles who represent the area included within the jurisdiction of the authority. Provides further with respect to qualifications of board members.

New law requires board members to serve without compensation, but authorizes the board to reimburse any member for expenses actually incurred in the performance of duties on behalf of the authority.

New law requires that all actions of the board be approved by the affirmative vote of a majority of the members present and voting. Provides however, that no action of the board shall be authorized on specified matters unless approved by a majority of the total board membership. Additionally requires that certain specified actions or proposals of the authority be submitted to the governing authority of the city of Lake Charles and authorizes the governing authority to reject any such action or proposal upon two-thirds vote of its membership. Requires the governing authority to act within 30 days. Provides that the authority shall be subject to the zoning rules and regulations of the city of Lake Charles.

New law grants the authority all powers necessary or convenient to carry out its objectives and purposes. Authorizes the authority to issue bonds permitted by law, incur debt, borrow money, and issue certificates of indebtedness, notes, and other debt obligations for the acquisition and operation of authority property and provide for the manner and method of repayment in accordance with law.

New law authorizes the authority to issue revenue bonds to finance the undertaking of a redevelopment project, or otherwise to acquire, purchase, lease, construct, or improve housing, residential development, subdivision development, commercial, research, industrial, or other plant sites and buildings, or other capital improvements. Authorizes the authority to enter into, amend, or terminate, as it determines to be necessary or appropriate, any ancillary contracts for certain purposes.

New law authorizes the authority to purchase adjudicated properties within its jurisdiction from any political subdivision of the state. Provides that no such purchase shall be construed to, or otherwise have the effect of, extending or suspending the period prescribed by law for the redemption of the property by the tax debtor or any other person.

New law authorizes the authority to create and execute redevelopment or development plans for specified areas within its jurisdiction. Prohibits the implementation of such plans until, to the extent required by law, the authority has obtained the approval of the local planning commission or zoning board.

New law authorizes the authority to sell, lease, or otherwise transfer immovable property or any interest therein in redevelopment areas as it may deem to be necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to provide for the elimination thereof or to otherwise carry out the purposes of new law.

New law authorizes the authority to dispose of, sell, or lease immovable property in a redevelopment area to any private person for fair market value as determined by a certified and competent appraiser, or to any private person pursuant to reasonable competitive bidding procedures as it shall prescribe subject to the provisions of new law. Requires public notice of such bidding procedures.

New law authorizes the authority to temporarily operate, maintain, or lease real property acquired by it in a redevelopment area for or in connection with a redevelopment project pending disposition of the property for such uses and purposes as may be deemed desirable even though not in connection with the redevelopment plan.

New law authorizes the authority to, in the implementation of a redevelopment plan, create a subdistrict(s) to conduct, oversee, or assist in the implementation of such redevelopment plan. Provides that the boundaries of such a subdistrict may include all or part of the redevelopment area and provides that such a subdistrict shall have and exercise such powers and responsibilities as the authority shall specify in the enabling resolution. Provides that unless otherwise specified in the resolution or other formal act creating the subdistrict, the board members of the authority shall constitute the governing authority of the subdistrict.

New law authorizes all persons carrying on a banking or investment business to invest funds in any bonds or other obligations issued by the authority.

New law adds an expedited procedure to enable the authority to more efficiently quiet title and initiate a foreclosure action regarding immovable property acquired by the authority. Provides as follows with respect to such procedure:

- (1) Requires the authority to file a notice with the clerk of court regarding the property and the pending action. Provides relative to the content of such notice. Provides for additional procedures if there is a deficiency in the notice. Requires the authority, if it has reason to believe that a property is contaminated, to notify the Dept. of Environmental Quality.
- (2) Requires the authority to initiate a records search to determine owners with interest in the property. Requires notice of the pending action be given to identified owners.
- (3) Authorizes the authority to file a single petition with the district court which lists all of the property subject to expedited foreclosure. Provides relative to the content of the petition and sets time limits for legal actions and decisions. Provides relative to notification to interested parties regarding the hearing on the petition, including posting a notice on each property. Requires the authority, if it is unable to provide the appropriate notice, to provide notice through publication for three consecutive weeks prior to the hearing on the matter in a newspaper published and circulated in East Baton Rouge Parish. Requires filing proof of notice with the clerk of court. Requires any person who has an interest in a parcel of property to file written objections with the clerk and serve those objections on the authority prior to the hearing. Requires the district court to enter judgment on the petition not more than 10 days following the conclusion of the hearing or contested case.
- (4) Provides that except as otherwise provided in new law, title to property set forth in a petition for foreclosure shall vest absolutely in the authority upon the effective date of the judgment. Provides that the authority shall have absolute title to the property, and the title is not subject to any recorded or unrecorded lien, except as otherwise provided in new law and shall not be stayed or held invalid except as otherwise provided in new law. Provides that a judgment is a final order with respect to the property affected by the judgment and shall not be modified, stayed, or held invalid after the effective date of the judgment, except as otherwise provided in new law.
- (5) Authorizes a person with an interest in the foreclosed property to appeal the district court's order or judgment. Provides relative to such appeals including time limits and deadlines. Provides that an appeal is limited to the record of the proceedings in the district court. Provides that the district court's judgment foreclosing property shall be stayed until the court of appeals has reversed, modified, or affirmed that judgment, but the stay applies only to the property that is subject of the appeal. Requires a person appealing the judgment to pay to the authority any taxes, interest, penalties, and fees due on the property. Provides that such amounts or portions thereof shall be refunded if appropriate under the final determination.

Effective upon signature of governor (July 10, 2009).

(Adds R.S. 33:4720.181)

